

**MONTANA PUBLIC SERVICE COMMISSION
TRANSPORTATION/CENTRALIZED SERVICES DIVISION
AGENDA NO. 03-03-25**

Date Published: March 20, 2003
For Work Week Commencing: March 24, 2003
Business Meeting: March 25, 2003, 9:30 a.m.

General Introduction This agenda is the Commission's Transportation and Centralized Services Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.state.mt.us>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Inquiries General inquiries concerning this division agenda and subscribing to notice by mail may be made to Wayne Budt at (406) 444-6195. Mr. Budt may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. Legislation/Budget (daily as needed)

Action Items All items identified below are for action at the Commission business meeting.

1. T-02.29.PCN (Wayne)

On June 17, 2002 William E. Baird dba Bitterroot Cab Co., Victor, Montana applied for an intrastate certificate of public convenience and necessity. The docket was noticed to the public on July 5, 2002 and protests were received. A public hearing was scheduled for October 15, 2002 and, at the applicant's request, vacated. Attempts to work with the applicant to move forward with this docket have not been successful. A notice of this action to close the docket was sent to the applicant by certified mail on February 26, 2003 and received by him on February 27, 2003. That notice required that he advise this office by March 14, 2003 as

to his intentions for this docket. There has been no response from him. Staff recommends that the docket be closed.

Class B - Passengers (1) between all points and places in Ravalli County; and (2) from Ravalli County to Missoula County and return.

ACTION:

2. T-03.2.PCN (Wayne)

On January 17, 2003 Tracy Burland dba Mr. B's Limo, Ronan, Montana filed an application for an intrastate certificate of public convenience and necessity. That application was noticed to the public on February 7, 2003, with protests due by February 26, 2003. Protests were received. Flathead Area Custom Transportation, Inc. dba Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana has submitted a request for late intervention in this docket.

Class B - Passengers in limousine service between all points and places in Flathead, Lake and Missoula Counties, Montana.

ACTION:

3. T-03.4.PCN (Wayne)

On January 27, 2003 Darrell A. Hegel dba D.C. Cab, Columbia Falls, Montana filed an application for an intrastate certificate of public convenience and necessity. That application was noticed to the public on February 7, 2003, with protests due by February 26, 2003. Protests were received. Flathead Area Custom Transportation, Inc. dba Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana has submitted a request for late intervention in this docket.

Class B - Passengers between all points and places in Columbia Falls, Montana and a fifty (50) mile radius thereof. LIMITATION: Transportation is limited to Flathead County, Montana.

ACTION:

4. T-03.7.RI (Wayne)

On February 12, 2003 Anaconda Chamber of Commerce, Anaconda, Montana, filed for increased rates and charges in their Passenger Tariff No. 1, on adult fares, of 25% raising the adult fare from \$4.00 to \$5.00. The application was noticed to the public on February 20, 2003 and no protests were received.

Class B - Passengers within the city of Anaconda, Montana, and a twenty (20) mile radius thereof. Limitations: Transportation is limited to that annual service between June 14 and September 12.

ACTION:

5. TN2174 (Wayne)

Lynn J. Labatte dba L & L Sanitation, Culbertson, Montana, PSC No. 5039, has submitted his 2002 Annual Report reflecting no intrastate Montana revenue. Mr. Labatte is serving the communities of Froid and Bainville, as well as approximately 80 rural customers in Montana. However, the waste is transported to the closest landfill located in North Dakota making the movements interstate in nature. 38.3.1205(c) requires

the Commission to consider the verified statement in lieu of intrastate operations.

ACTION:

6. TN2175 (Wayne)

L.S. Jensen & Sons, Inc., Missoula, Montana, PSC No. 400, has filed a verified statement of no operations under their Class D certificate. This certificate is in the process of transfer (T-00.105.ST) and complaint was filed blocking that transfer (T-00.111.COM). Staff recommends acceptance of the verified statement on condition that the matter be subject to evidence and argument on the verified statement, if any, submitted at the hearing in the above referenced dockets. 38.3.1205(c) requires the Commission to consider the verified statement in lieu of intrastate operations.

ACTION:

6. Approval of Commission Minutes (Wayne)

Approval of the Commission Minutes for the week of March 17, 2003.

ACTION: